

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

MAY 03 2007

JOHN F. CORCORAN, CLERK
BY: *J. Jarabee*
DEPUTY CLERK

UNITED STATES OF AMERICA

v.

REGINALD LEON EDWARDS,

Defendant

CRIMINAL No. 6:07cr00014

ORDER and OPINION

JUDGE NORMAN K. MOON

This matter is before the Court on Defendant's Waiver of Speedy Trial, filed on May 1, 2007 (docket entry no. 24). In this purported waiver, Defendant states that he "waives [his] rights under the Speedy Trial Act and expressly consent[s] to the trial of [his] case being set outside the 70-day time limit imposed under said Act." A purported waiver of the time limits imposed by the Speedy Trial Act, codified at 18 U.S.C. § 3161-74, is ineffective, however. As this Court recently stated, the Speedy Trial Act addresses "interests held by two different entities: the public (in having quickly resolved judicial proceedings) and the defendant (in having her case disposed of in a speedy manner)." *United States v. Conway*, 471 F. Supp. 2d 665, 666 (W.D. Va. 2007). Although the Speedy Trial Act allows certain periods of time to be deducted from computing time periods under the act, *see* 18 U.S.C.A. § 3161(h) (2007), these periods do not include those resulting from a defendant's purported waiver of these time periods, *see id.*; *see also id.* § 3161(h)(8)(A)-(B) (allowing exclusion of time resulting from a continuance so long as the trial judge decides "that the ends of justice served by [granting a continuance] outweigh the best interest of the public and the defendant in a speedy trial"); *Conway*, 417 F. Supp. 2d at 666.

Because Defendant cannot waive any time limitations imposed by the Speedy Trial Act,

the Court cannot address Defendant's document.

It is so ORDERED.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record.

ENTERED:

Mark A. Mo
United States District Judge

May 3, 2007
Date